

ELECTIONS COMMISSION

Budget Summary							
Fund	2018-19 Base Year Doubled	2019-21 Governor	2019-21 Jt. Finance	2019-21 Legislature	2019-21 Act 9	Act 9 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$8,583,400	\$9,024,200	\$9,358,100	\$9,358,100	\$9,358,100	\$774,700	9.0%
FED	2,100,000	2,268,300	1,897,000	1,897,000	1,897,000	- 203,000	- 9.7
PR	3,400	2,000	2,000	2,000	2,000	- 1,400	- 41.2
SEG	<u>200</u>	<u>200</u>	<u>200</u>	<u>200</u>	<u>200</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$10,687,000	\$11,294,700	\$11,257,300	\$11,257,300	\$11,257,300	\$570,300	5.3%

FTE Position Summary						
Fund	2018-19 Base	2020-21 Governor	2020-21 Jt. Finance	2020-21 Legislature	2020-21 Act 9	Act 9 Change Over 2018-19 Base
GPR	25.75	25.75	25.75	25.75	25.75	0.00
FED	<u>6.00</u>	<u>6.00</u>	<u>6.00</u>	<u>6.00</u>	<u>6.00</u>	<u>0.00</u>
TOTAL	31.75	31.75	31.75	31.75	31.75	0.00

Budget Change Items

1. STANDARD BUDGET ADJUSTMENTS

Governor/Legislature: Provide standard budget adjustments to the base totaling \$158,200 GPR and -\$133,400 FED in 2019-20 and \$163,900 GPR and -\$114,600 FED in 2020-21. Adjustments are for: (a) full funding of continuing position salaries and fringe benefits (\$144,000 GPR and -\$142,800 FED annually); (b) reclassifications and semiautomatic pay progression (\$48,100 GPR and \$9,400 FED in 2019-20 and \$48,100 GPR and \$28,200 FED in 2020-21); and (c) full funding of lease and directed moves costs (-\$33,900 GPR in 2019-20 and -\$28,200 GPR in 2020-21).

GPR	\$322,100
FED	- 248,000
Total	\$74,100

2. AUTOMATIC VOTER REGISTRATION

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$37,400	- \$37,400	\$0

Governor: Provide \$24,800 in 2019-20 and \$12,600 in 2020-21 to register all eligible electors as soon as practicable. Funds would be provided to the Commission's general program operations appropriation for supplies and services to: (a) train municipal and county clerks; (b) develop the information technology necessary for implementation; (c) update and develop agency resources, such as websites and voter outreach materials, to reflect changes; and (d) increase mailing of verification postcards.

Agreement with DOT. Require the Commission and the Department of Transportation (DOT) to enter into an agreement providing for the electronic transfer of information to facilitate the registration of all eligible electors. The Department would be required to begin transferring information under such an agreement no later than the first day of the fourth month after the effective date of the bill. The agreement must provide for the continuous electronic transfer of the following information, no less often than monthly: (a) the full name of each individual who holds a current operator's license or a current identification card issued by DOT; (b) the individual's name history, current address, address history, date of birth, and license or identification card number; (c) a copy of the document the individual provided as proof of citizenship; (d) a statement indicating that DOT verified the individual's citizenship; and (e) the most recent date that each item of information was provided or obtained by DOT. Require that the application forms for a license or identification card inform the applicant that information will be made available to the Elections Commission and provide an opportunity for the applicant to elect not to share the information.

Specify that the Commission maintain the confidentiality of all information obtained from DOT and only use the information for the purpose of registering electors. Further, specify that this provision would not preclude DOT from sharing this information with the Commission for the current law purposes of online voter registration or for any other purpose other than automatic voter registration. [See "Transportation -- Motor Vehicles."]

List Maintenance. Require the Commission to compare the information from DOT with the voter registration list and use all feasible means to facilitate the registration of eligible electors based on the following procedures:

a. Enter the individual's name on the registration list, provided that the Commission has obtained from reliable sources the required information and the individual appears to be eligible to vote but not registered. Attempt to obtain from reliable sources the necessary information required to complete an individual's registration. Attempt to contact the individual if necessary to obtain the information needed to complete registration.

b. Contact electors by mail, telephone, or in person to resolve discrepancies if the information from DOT does not match the voter registration list. If the Commission is unable to

contact the elector, update the registration list and resolve any discrepancies to reflect the information submitted by DOT.

c. If a name is removed from the registration list, other than to remove a duplicate entry or change the status of a deceased individual to ineligible, mail a notice of the change by first class postcard informing the elector that he or she may apply to be added again.

d. If a municipality has changed the status of an elector to ineligible and the individual's eligibility, name, or residence has not changed, the Commission may not change the individual's status unless the Commission verifies that the individual is eligible and wishes to change his or her status.

e. In addition, any individual may file a request with the Commission to be excluded or deleted from the registration list and may later revoke the request to be excluded or deleted. The Commission must ensure that an individual who has filed a request to be excluded or deleted from the list is excluded or removed and is not added at a later time unless the request is revoked.

Voter Registration Modifications. Require municipal clerks and their agents to promptly add to the statewide registration list the names of qualified electors who register late in person. Specify that, for an individual who registers to vote electronically, the municipal clerk must inform the elector that proof of residence is required, unless residency has been verified by the Commission's electronic system. Require the Commission to maintain electronic registration forms and make them available for inspection by the municipal clerk, clerk's agent, or board of election commissioners.

Report to Legislature. No later than July 1, 2020, require the Commission to report the following to the appropriate standing committees of the Legislature: (a) progress in implementing a system to ensure the complete and continuous registration of all eligible electors, including the operability and utility of information integration with DOT; and (b) an assessment of the feasibility and desirability of the integration of registration information with information maintained by the Departments of Health Services, Children and Families, Workforce Development, Revenue, Safety and Professional Services, and Natural Resources; the University of Wisconsin System; the Technical College System Board; and the technical colleges within each technical college district.

Provisions are identical to 2017 Assembly Bill 609, except with regard to implementation date, expenditure authority, and legislative review. Under AB 609, the Commission would have been required to complete the initial registration of all eligible electors by July 1, 2021, rather than "as soon as practicable." Further, under AB 609, any expenditures to implement the Act would have been subject to a 14-day passive review process by the Joint Committee on Finance.

Joint Finance/Legislature: Delete provision.

3. VOTING REQUIREMENT MODIFICATIONS

Governor: Modify the following provisions of 2017 Act 369 related to identification cards used for voting to: (a) remove the requirement that cards issued by an accredited university or college in Wisconsin require a signature; (b) specify that an unexpired identification card issued

by an accredited university or college must be a student identification card to be used for voting; (c) specify that the card may expire no later than five years after the date of issuance, rather than two years under current law; (d) remove the requirement that the elector prove current enrollment on the date the card is presented; (e) require that every University of Wisconsin System institution and technical college issue student identification cards that qualify as identification for the purpose of voting no later than August 1, 2019; and (f) specify that a temporary identification card issued by the Department of Transportation be valid for a period not to exceed 180 days, rather than 60 days under current law.

Modify the provision of 2017 Act 369 related to the period during which a qualified elector may apply for an absentee ballot in-person, such that applications may be made no later than 7 p.m. on the Friday preceding the election, rather than the Sunday preceding the election. Repeal the requirement that an application for an absentee ballot in-person be made no earlier than 14 days preceding the election.

The Executive Budget Book indicates that the above modifications are intended to "address the federal court enjoinder." On January 17, 2019, the U.S. District Court for the Western District of Wisconsin ruled that several provisions of 2017 Act 369 violated injunctions issued in *One Wisconsin Institute v. Thomsen*, including: (a) restrictions on the use of expired, but otherwise qualifying, student identification cards for voting; (b) a time limit on the validity of temporary identification cards issued by DOT under the identification card petition process; and (c) limits on the time period for in-person absentee voting.

Joint Finance/Legislature: Delete provision.

4. **FUNDING FOR REQUIREMENTS OF THE ELECTRONIC REGISTRATION INFORMATION CENTER** [LFB Paper 280]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Veto (Chg. to Leg.)	Net Change
GPR	\$81,300	\$371,300	\$0	\$452,600
FED	<u>371,300</u>	<u>- 371,300</u>	<u>0</u>	<u>0</u>
Total	\$452,600	\$0	\$0	\$452,600
GPR-REV	\$0	\$9,700	- \$9,700	\$0
PR-Transfer	\$0	\$9,700	- \$9,700	0

Governor: Provide \$81,300 GPR and \$196,900 FED in 2019-20 and \$174,400 FED in 2020-21 for: (a) Electronic Registration Information Center (ERIC) membership dues (\$33,100 FED annually); (b) mailings to potential eligible voters and voters who may no longer be residing at their registered address, which are required by ERIC (\$81,300 GPR in 2019-20 and \$141,300 FED annually); and (c) one-time funding of \$22,500 FED in 2019-20 for WisVote election administration system modifications.

The Elections Commission is statutorily required to join ERIC, a consortium of states that shares data to improve voter registration databases. Member states are provided reports to identify

voters who may have moved, voters who may have died, duplicate voter records, and voters who appear to be eligible to vote but are not registered. Expenditure authority is intended to: (a) fund annual membership dues and perform annual list maintenance for voters who are identified by ERIC as having potentially moved; (b) contact voters who have been identified by ERIC as being eligible to vote but are not yet registered to vote; and (c) modify the WisVote system to enable importing of ERIC data to allow clerks to update information for voters who have died and to clean up duplicate records.

Joint Finance/Legislature: Modify the provision to provide GPR, rather than FED, for ERIC expenses as follows: (a) delete \$196,900 FED in 2019-20 and \$174,400 FED in 2020-21; and (b) provide an additional \$196,900 GPR in 2019-20 and \$174,400 GPR in 2020-21. In addition, transfer \$9,700 PR in 2019-20 from the Commission's materials and services appropriation to the general fund for the purpose of offsetting a portion of ERIC expenses.

Veto by Governor [C-38]: Delete the transfer of \$9,700 PR in 2019-20 from the materials and services appropriation to the general fund.

[Act 9 Vetoes Section: 9212(1c)]

5. VOTER LIST MAINTENANCE MAILING

FED	\$45,000
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Governor/Legislature: Provide \$45,000 in 2020-21 for the voter list maintenance mailing. Every two years, under s. 6.50(1) of the statutes, the Elections Commission is required to mail a notice of suspension of registration to each elector who has not voted in the previous four years. If the elector does not respond within 30 days, his or her registration is inactivated. Base funding includes \$30,000 for a voter list maintenance mailing. The Commission estimates the cost of the next mailing will total \$75,000.

6. MATERIALS AND SERVICES REESTIMATE

PR	- \$1,400
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Governor/Legislature: Reduce expenditure authority for the Commission's materials and services appropriation by \$700 annually to reflect the Commission's estimate of declining revenues. Base funding for the appropriation is \$1,700 annually. Revenues credited to the appropriation are from the sale of publications and copies of records.